

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BENEDETTO ROCCHIO,

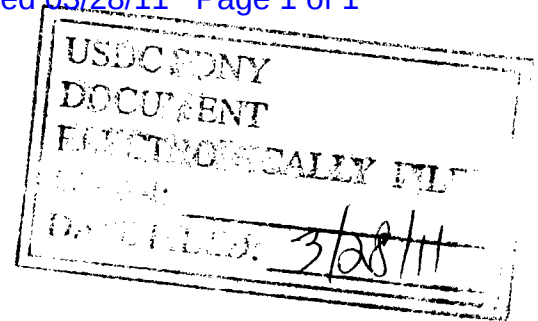
Plaintiff,

-v-

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.
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JED S. RAKOFF, U.S.D.J.



08 Civ. 3796 (JSR)

ORDER

On November 19, 2010, the Honorable Frank Maas, United States Magistrate Judge, issued a Report and Recommendation ("Report") in the above-captioned matter regarding the pending motions of plaintiff Benedetto Rocchio and defendant Michael J. Astrue, Commissioner of Social Security, for judgment on the pleadings. The Report recommended that the Court grant both motions in part and deny both motions in part. None of the parties has filed any objection to the Report, and, for that reason alone, the parties have waived any right to further appellate review. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Wagner & Wagner, LLP v. Atkinson, Haskins, Nellis, Brittingham, Gladd & Carwile, P.C., 596 F.3d 84, 92 (2d Cir. 2010). Accordingly, the Court hereby adopts the Report, and, for the reasons stated therein, grants both motions in part, denies both motions in part, and directs that the case be continued solely to develop the record more fully with respect to Rocchio's visual impairments.

SO ORDERED.

Dated: New York, NY
March 28 2011


JED S. RAKOFF, U.S.D.J.